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**Attorneys for USACM Liquidating Trust**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

Case No. BK-S-06-10725-LBR

USA Commercial Mortgage Company,

Chapter 11

**Debtor.**

## **DECLARATION OF TODD HANSEN**

Hearing Date: September 30, 2011

Hearing Time: 9:30 a.m.

Estimated Time for Hearing: 10 minutes

I, Todd Hansen, state and declare under penalty of perjury as follows:

1. I am over 21 years of age and I am a resident of the State of Indiana. I am the Managing Member of Platinum Properties 1, Inc. (“Platinum”).

2. I make this declaration based on my personal knowledge of the facts or review of the pertinent records. If called to testify in this matter, I would testify under oath as set forth herein.

3. Various lenders (the "HFAH Asylum Lenders") lent money to HFAH Asylum, LLC (the "HFAH Asylum Loan"). Upon information and belief, the documents supporting the HFAH Asylum Loan (including the promissory note, loan agreement, and guaranty) were never executed, and the deed of trust intended to secure repayment of the HFAH Asylum Loan was never signed or recorded. The HFAH Asylum Loan funds were used by the borrower to purchase obligations owed by Windham Mills Development Corporation, with the intent of foreclosing on the collateral securing those obligations.

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1           4.     Compass was servicing the HFAH Asylum Loan, but pursuant to a  
2 December 13, 2007 Assignment and Assumption of Loan Servicing Agreements, Compass  
3 assigned to Platinum all right, title, and interest to the loan servicing agreement governing  
4 the HFAH Asylum Loan.

5           5.     Platinum, on behalf of a majority of HFAH Asylum Lenders (the "Opt-In  
6 Lenders"), filed suit against the borrower on the HFAH Asylum Loan for the funds  
7 provided by the Direct Lenders. Ultimately, Platinum and the borrower settled that  
8 lawsuit, and Platinum obtained the right to pursue the obligations owed by Windham  
9 Mills. By pursuing those obligations, Platinum estimates that it collected 70% of the  
10 funds owed to the Opt-In Lenders.

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12           Executed on August 2, 2011.  
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16           Todd Hansen  
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